

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

CORDELLRA MCCALEY

PLAINTIFF

v.

No. 4:21-CV-00132-NBB-JMV

**WARDEN SIMON,
CAPTAIN MEEKS, and
C/O BUDLEY**

DEFENDANTS

**ORDER DIRECTING PLAINTIFF TO SUBMIT
IDENTIFYING INFORMATION FOR DEFENDANT**

On October 12, 2021, Plaintiff Cordellra McCaley, proceeding *pro se*, filed the instant civil rights action challenging the conditions of his confinement under 42 U.S.C. § 1983. Doc. # 1. In his complaint, Plaintiff named “C/O Budley” as one of the defendants in this action. *See id.* The Court entered a Process and Scheduling Order on November 10, 2021, allowing Plaintiff’s claims to proceed forward. Doc. # 10. Counsel for MDOC, however, recently notified the Court that he is unable to represent Defendant C/O Budley because “MDOC has no record of anyone matching the description of the defendant . . . having been employed by MDOC.” Doc. # 16. The instant action cannot proceed against Defendant C/O Budley until he has been served with process. Accordingly, Plaintiff is directed to provide the Court with Defendant C/O Budley’s full name and last known address within twenty-one (21) days from the date of this order. Plaintiff’s failure to do so will result in the dismissal of his claims against Defendant C/O Budley under Rule 41(b) of the Federal Rules of Civil Procedure.

SO ORDERED, this the 7th day of December, 2021.

/s/ Jane M. Virden
JANE M. VIRDEN
UNITED STATES MAGISTRATE JUDGE